

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

DISTRICT-WIDE PLANNING COMMITTEE

Thursday 31st October 2024

Present: Councillor Sheikh Ullah (Chair)
Councillor Donna Bellamy
Councillor Paola Antonia Davies
Councillor Eric Firth
Councillor Jo Lawson
Councillor Susan Lee-Richards
Councillor Tony McGrath
Councillor Mohan Sokhal

Observer: Councillor Zahid Kahut

- 1 Membership of the Committee**
Councillor J D Lawson substituted for Councillor Kahut.
- 2 Minutes of the Previous Meeting**
RESOLVED – That the Minutes of the Meeting of the Committee held on 19 September 2024 be approved as a correct record
- 3 Declaration of Interests and Lobbying**
Councillors Bellamy, Davies, Firth, Lee-Richards, McGrath, Sokhal and Ullah advised that they had been lobbied on Application 2023/91715.
- 4 Admission of the Public**
It was noted that all agenda items would be considered in public session.
- 5 Public Question Time**
No questions were received.
- 6 Deputations / Petitions**
No deputations or petitions were received.
- 7 Site Visit: Planning Application No: 2023/91715**
Site visit undertaken.
- 8 Site Visit: Planning Application No: 2024/91907**
Site visit undertaken.
- 9 Site Visit: Planning Application No: 2024/91202**
Site visit undertaken.
- 10 Site Visit: Application for Definitive Map Modification Order**
Site visit undertaken.

12 Application for a Definitive Map Modification Order (DMMO)

The Committee gave consideration to an Application for a Definitive Map Modification Order to record a public footpath at Old Lane, Scapegoat Hill, Colne Valley on the Definitive Map and Statement, and two other discovered routes.

Under the provisions of Council Procedure Rule 37, the Committee received a representation from Clare Atkinson (local resident).

RESOLVED –

- 1) That the Council make an Order under S53(3)(c)(i) of the Wildlife and Countryside Act 1981 to record a public footpath leading from Old Lane to Taylor Lane via burial ground (route 1) subject to the limitation of a gate, and to record a public footpath leading from Old Lane to High Street via steps (route 2).
- 2) That the Council do not make an Order under S53(3)(c)(i) of the Wildlife and Countryside Act 1981 to record a public footpath leading from Old Lane to High Street via Vermont Close (route 3).
- 3) That, pursuant to (1) above, the Order be confirmed if unopposed, or, if objections are received and not withdrawn, the matter be referred to the Planning Inspectorate for determination, and that the Order be actively supported at any public inquiry or hearing.

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows;

For: Councillors Bellamy, Davies, Firth, JD Lawson, Lee-Richards, McGrath, Sokhal and Ullah (8 votes)

Against: (no votes)

13 Planning Application - Application No: 2024/91202

The Committee gave consideration to Application 2024/91202 – Erection of eight dwellings with associated access and external works at land off Marsh Lane, Shepley, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Steve Armitage (local resident), Nick Wilock (on behalf of local residents and Jake Hinchliffe (architect).

RESOLVED –

1) That authority be delegated to the Head of Planning and Development to approve the application, issue the decision notice and complete the list of conditions including matters relating to;

- time scale for commencing development
- in accordance with plans
- unexpected land contamination
- materials
- drainage details

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- overland flow routing
- construction phase surface water flood risk and pollution prevention plan
- areas to be surfaced and drained
- details of junction of new estate road
- visibility splays clear from obstruction
- internal adoptable estate roads
- construction access
- defects survey

2) That authority be delegated to the Head of Planning and Development to secure a S106 Agreement to cover biodiversity – contribution towards off-site measures to achieve biodiversity net gain.

3) That, pursuant to (2) above, in circumstances where the S106 Agreement has not been completed within three months of this decision, the Head of Planning and Development shall be authorised to consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits that would have been secured, and would therefore be permitted to determine the Application and impose appropriate reasons for refusal under delegated powers.

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows;

For: Councillors Bellamy, Davies, Firth, JD Lawson, Lee-Richards, McGrath, Sokhal and Ullah (8 votes)

Against: (no votes)

14 **Planning Application - Application No: 2024/91907**

The Committee gave consideration to Application 2024/91907 – Change of use of dwelling (C3) to children’s residential home (C2) at 18 Kingfisher Way, Dewsbury.

Under the provisions of Council Procedure Rule 37, the Committee received a representation from Humayra Garda (applicant).

RESOLVED – That authority be delegated to the Head of Planning and Development to approve the application, issue the decision notice and complete the list of conditions including matters relating to;

- standard timeframe condition regarding implementation
- development to be in accordance with plans

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows;

For: Councillors Bellamy, Davies, Firth, JD Lawson, Lee-Richards, McGrath, Sokhal and Ullah (8 votes)

Against: (no votes)

15 **Planning Application - Application No: 2023/91715**

The Committee gave consideration to Application 2023/91715 – Demolition of existing mosque and erection of mosque and education centre - Mohaddis E Azam Education Centre and Masjid E Madani, 225c Ravenshouse Road, Dewsbury Moor.

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Under the provisions of Council Procedure Rule 37, the Committee received a representation from Imtiaz Ameen (applicant).

RESOLVED – That authority be delegated to the Head of Planning and Development to approve the application, issue the decision notice and complete the list of conditions including matters relating to;

- time scale for implementation
- development to be carried out in accordance with approved plans and specifications
- samples of external materials to be submitted
- call to prayer; control hours, length of time, sound level
- electric vehicle charging points
- submission of remediation strategy
- implementation of remediation strategy
- submission of verification report
- intrusive site investigations (in relation to coal mining legacy)
- details of external artificial lighting
- parking management plan
- construction access management plan

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows;

For: Councillors Bellamy, Davies, Firth, JD Lawson, Lee-Richards, McGrath, Sokhal and Ullah (8 votes)

Against: (no votes)